IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the 16th day of December 2005
Criminal Misc. Bail application No.785/2004
Order on the bail application of accused.

CRIMINAL SIDE

Shafi Ahemad S/o Shabbir Ahemad
R/o Islam Nagar
P.S. Kotwali
Town Khatima
District Udham Singh Nagar ….. Applicant

Versus

State of Uttaranchal ……Opposite Party.

Arising out of Case Crime No.46/2004
U/Ss 498A, 304-B IPC & 3/4 Dowry Prohibition Act
P.S. Khatima
District Udham Singh Nagar

By the court

Hon'ble J. C. S. Rawat, J.

Heard Sri Suresh Mishra learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. The applicant-accused is the husband of Shabana-deceased. Shabana was subject to cruelty immediately before the death and the poison was found in the *Visra* report. Considering the facts and circumstances of the case, it is not a fit case for bail. Therefore, the bail application is hereby rejected.

However, the finding given as above will not prejudice the trial court during the trial.

(J.C.S.Rawat, J.)

Dated 16.12.2004
LSR